
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

JOHN REDMOND,

Plaintiff,

v.

BRANDON E. SIMMONS et al.,

Defendants.

**MEMORANDUM DECISION
& DISMISSAL ORDER**

Case No. 2:20-CV-907-RJS

Chief District Judge Robert J. Shelby

Plaintiff, John Redmond, a former inmate at Salt Lake County Jail, filed a *pro se* civil rights complaint. *See* 42 U.S.C.S. § 1983 (2022). Because Plaintiff had, three or more prior times while incarcerated, filed an action dismissed as "frivolous or malicious or fail[ing] to state a claim upon which relief may be granted," 28 *id.* § 1915(g), the Court concluded that Plaintiff could not proceed *in forma pauperis* but must pay his entire \$350 filing fee up front. (ECF No. 14 (Aug. 4, 2021).) The Court warned that Plaintiff's complaint would be dismissed unless he paid the full filing fee within thirty days.

On July 28, 2022, the Court denied Plaintiff's motion for reconsideration of the August 4, 2021 order and reiterated its order that Plaintiff must pay the full \$350 filing fee within thirty days. (ECF No. 36.) More than one month later, the filing fee remains unpaid. The Court has not heard from Plaintiff for nearly three months, since June 11, 2022, when he filed a change of address, which appears to be a private residence in Illinois. (ECF No. 35.) Since June 11, 2022, a mailed item to that address in another of Petitioner's cases before this Court was returned to

sender, marked, "MOVED LEFT NO ADDRESS UNABLE TO FORWARD." *Redmond v. Rivera*, 2:21-CV-122-DAK, ECF No. 19 (D. Utah June 21, 2022).

As an aside, from the record in *Redmond v. Rivera*, No. 2:20-CV-237-DBB (D. Utah filed Apr. 7, 2020), it appears that Petitioner was released from custody on or about May 6, 2022. *Id.* at ECF No. 43-1.

IT IS THEREFORE ORDERED that--for failure to pay the filing fee and to prosecute this case--this action is DISMISSED without prejudice.

DATED this 12th day of September, 2022.

BY THE COURT:



CHIEF JUDGE ROBERT J. SHELBY
United States District Court